

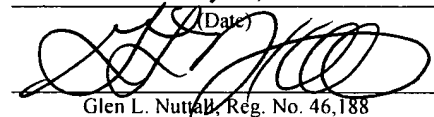
## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Thomas V. Wilder, et al.  
Appl. No. : 09/669,869  
Filed : September 22, 2000  
For : SKATE CHASSIS HAVING A-  
FRAME CONSTRUCTION  
Examiner : B. Swenson  
Group Art Unit : 3618

## CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

February 22, 2007

(Date)  
  
Glen L. Nuttall, Reg. No. 46,188

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby petition for withdrawal of the holding of abandonment of the present application.

In summary, a Notice of Non-compliant Amendment was mailed to an incorrect address on February 17, 2006, and Applicants never received the paper. Consequently, Applicants did not file a response to the paper, and the Patent Office mailed a Notice of Abandonment, again to the incorrect address, on August 28, 2006. Because Applicants never received the Notice of Non-compliant Amendment due to a Patent Office mailing error, Applicants contend that they never abandoned the application, and request that the holding of abandonment be withdrawn.

The relevant facts are as follows:

- 1) Prior to August 2, 2005, Applicants' attorneys, Knobbe, Martens, Olson & Bear, LLP (Customer No. 20,995), relocated its offices from 640 Newport Center Drive, 16<sup>th</sup> Floor, Newport Beach, CA 92660 ("the Newport Beach address") to 2040 Main Street, 14<sup>th</sup> Floor, Irvine, CA 92614 ("the Irvine address").

Appl. No. : 09/669,869  
Filed : September 22, 2000

- 2) On August 2, 2005, the Patent Office mailed an Office Action in the above-identified application to the Newport Beach address.
- 3) On February 2, 2006, Applicants filed (via first class mail) a Response to the Office Action mailed August 2, 2005. Concurrently, Applicants filed a CHANGE OF CORRESPONDENCE ADDRESS requesting that the Correspondence Address be changed to the Irvine address. Attached are copies of the CHANGE OF CORRESPONDENCE ADDRESS form and its associated TRANSMITTAL, which includes a Certificate of Mailing dated February 2, 2006.
- 4) As shown on the attached copies, the CHANGE OF CORRESPONDENCE ADDRESS and associated TRANSMITTAL were received by the Patent Office on February 6, 2006.
- 5) On February 17, 2006, the Patent Office mailed a Notice of Non-compliant Amendment in the above-identified application to the Newport Beach address. Neither Applicants nor Applicants' representatives received the Notice of Non-compliant Amendment, and thus never responded to it.
- 6) On August 28, 2006, the Patent Office mailed a Notice of Abandonment of the above-identified application to the Newport Beach address. Again, neither Applicants nor Applicants' representatives received the Notice of Abandonment.
- 7) On January 26, 2007, Applicants' representatives checked the status of the above-identified application on the PAIR system, and learned that the application had been abandoned.

The Notice of Non-compliant Amendment was never received by Applicants' representatives. A search of the file jacket and docket records was conducted, and indicates that the Notice of Non-compliant Amendment was not received. In support, attached is a copy of the docket record where the non-received Notice would have been entered had it been received.

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Because the Notice of Non-compliant Amendment was never received, it is respectfully submitted that the application was not abandoned by the Applicants. Applicants respectfully request withdrawal of the Notice of Abandonment.

Applicants have been able to obtain an electronic copy of the Notice of Non-Compliant Amendment from the PAIR system. Thus, Applicants have included herewith a Supplemental Office Action Response in response to the Notice. As such, Applicants do not require re-issuance of the Notice.

Since Applicants first learned of the Notice of Abandonment on January 26, 2007, Applicants request that this Petition NOT be dismissed as untimely pursuant to 37 C.F.R. § 1.181(f), even though the Notice of Abandonment was mailed more than two months prior to filing of the paper. Since Applicants discovered the erroneous abandonment through their representatives' proactive efforts, and since the Notices were erroneously mailed to the incorrect address by the Patent Office AFTER Applicants filed an appropriate Change of Address form, Applicants contend that this Petition is timely-filed.

Should there be any remaining issue regarding the above comments or any other aspect of the present application, the Examiner is respectfully invited to contact the undersigned at the telephone number listed below.

Please charge any required fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 2/22/07

By: 

Glen L. Nuttall  
Registration No. 46,188  
Attorney of Record  
Customer No. 20,995  
(949) 760-0404

3454395  
022107

Please Direct All Correspondence to Customer Number 20995

## AMENDMENT / RESPONSE TRANSMITTAL

Applicant : Thomas V. Wilder, et al.  
 Reissue : 09/669,869  
 App. No  
 Filed : September 22, 2000  
 For : SKATE CHASSIS HAVING A-FRAME  
 CONSTRUCTION  
 Examiner : B. Fischmann  
 Art Unit : 3618

## CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

February 2, 2006

Glen L. Nuttall, Reg. No. 46,188

Mail Stop Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing in the above-identified application are the following enclosures:

- (X) Response to Amendment in 11 pages.
- (X) Status of Claims and Support for Claim Changes in 2 pages.
- (X) Change of Correspondence Address in 1 page.

The fee has been calculated as shown below:

The present application qualifies for Small Entity Status under 37 CFR 1.27.

FEE CALCULATION				
FEE TYPE		FEE CODE	CALCULATION	TOTAL
Excess Claims	51 - 51 = 0	2202 (\$25)	0 x 25 =	\$0
Excess Independent	7 - 7 = 0	2201 (\$100)	0 x 100 =	\$0
Multiple Claim	1.16(j)	2203 (\$180)		\$
1 Month Extension	1.17(a)(1)	2251 (\$60)		\$
2 Month Extension	1.17(a)(2)	2252 (\$225)		\$
3 Month Extension	1.17(a)(3)	2253 (\$510)		\$510
			<b>TOTAL FEE DUE</b>	<b>\$*510</b>

- (X) An extension of time is hereby requested by payment of the appropriate fee indicated above.



Docket No.: DAREDEV.018RA

February 2, 2006

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- (X) A check in the amount of \$510 is enclosed.
- (X) Return prepaid postcard.
- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.



Glen L. Nuttall

Registration No. 46,188

Attorney of Record

Customer No. 20,995

(949) 760-0404

PAT-AMENDTRANS

2348364  
020206

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**CHANGE OF CORRESPONDENCE ADDRESS**

Applicant : Thomas V. Wilder, et al.  
Reissue : 09/669,869  
App. No  
Filed : September 22, 2000  
For : SKATE CHASSIS HAVING A-FRAME  
CONSTRUCTION  
Examiner : B. Fischmann  
Art Unit : 3618

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Please change the Correspondence Address for the above-identified patent application to the address associated with **Customer No. 20,995**. This address is:

**2040 Main Street, 14<sup>th</sup> Floor  
Irvine, CA 92614**

Respectfully Submitted,

Glen L. Nuttall  
Registration No. 46,188  
Attorney of Record  
Customer No. 20,995  
(949) 760-0404

# Country Application

Thursday, February 22, 2007

**Case Number: DAREDEV.018RA**

**Country:** US United States of America

**SubCase:**

**NP Instr. Date:**

**Case Type:** REI

**Status: Pending**

**Application Number:** 09/669869

**Filing Date:** 22-Sep-2000

**Patent Number:**

**Issue Date:**

**Publication Number:**

**PublicationDate:**

**Expir. Date:**

**Entity:** SE

**AbandonedDate:**

**Agent:**

**Client:** DAREDEV

**Prosecuting**

**Agent Ref#:**

**Tax Due Date:**

**Priority Date:**

**Annuity Number:**

**BarCodeDate:**

**Priority Number:** REI of 5810369

**Tax Start Date:**

**Assignee:**

**Country of Origin:**

**Applicant:**

**Inventors:** WILDER, THOMAS V.

**Invention Attorney(s):** SJN

GLN

REYNOLDS, ALEXANDER

**Title:** SKATE CHASSIS HAVING A-FRAME CONSTRUCTION

**Remarks:** RCE filed 12/13/02

BASED OFF 08/682808, DAREDEV.018A

**User ID:** MEJ

**Date Created:** 25-Sep-2000

**Last Update:** 26-Jan-2007

## List Of User Actions

Action(s) Due	Due Date	Indicator	Action Taken
Status? Check PAIR First	26-Jul-2007	Final	
Revive or Close File?	28-Feb-2007	Final	
PETITION TO WITHDRAW ABA?	26-Feb-2007	Final	
Status? Check PAIR First	27-Jan-2007	Final	26-Jan-2007
Status? Check PAIR First	02-Aug-2006	Final	27-Jul-2006
Postcard/Check IFW - Amend	02-Apr-2006	Reminder	13-Feb-2006
OA Response Due FINAL	02-Feb-2006	Final	02-Feb-2006
US-PAT NONCOMPL Follow Up Date	07-Jan-2006	Due Date	07-Dec-2005
OA Response Due 2nd EXT	02-Jan-2006	Due Date	21-Dec-2005
OA Response Due 1st EXT	02-Dec-2005	Due Date	07-Dec-2005
File Refs in Related Cases?	02-Nov-2005	Due Date	07-Dec-2005
OA Response Due	02-Nov-2005	Due Date	07-Dec-2005
Faxed to PTO/IDS	29-Mar-2005	Due Date	29-Mar-2005
Postcard Recvd?/Amendment	07-Nov-2004	Reminder	17-Sep-2004
US-PAT OA 3 MON Follow Up Date	07-Oct-2004	Due Date	07-Sep-2004
Response Due	25-Sep-2004	Final	07-Sep-2004
3rd Ext Amendment	12-Jul-2004	Final	07-Apr-2004
3rd Ext Corrected Drawings	12-Jul-2004	Final	07-Apr-2004

Note no dates deleted  
to reply to Notice of  
Non-compliant  
Amendment

# Country Application

Thursday, February 22, 2007

Possible IDS Due/Atty	22-Jun-2004	Due Date	21-Jun-2004
2nd Ext Amendment	12-Jun-2004	Due Date	07-Apr-2004
2nd Ext Corrected Drawings	12-Jun-2004	Due Date	07-Apr-2004
Postcard Recvd?/Amendment	07-Jun-2004	Reminder	19-Apr-2004
1st Ext Amendment	12-May-2004	Due Date	07-Apr-2004
1st Ext Corrected Drawings	12-May-2004	Due Date	07-Apr-2004
Rev Report/File IDS?/Atty	21-Apr-2004	Due Date	21-Apr-2004
Amendment Due	12-Apr-2004	Due Date	07-Apr-2004
Submit Corrected Drawings	12-Apr-2004	Due Date	07-Apr-2004
US-PAT OA 3 MON Follow Up Date	01-Feb-2004	Due Date	22-Jan-2004
Postcard Recvd?/Supp Amendment	09-Dec-2003	Reminder	22-Oct-2003
3rd Ext Amendment	03-Oct-2003	Final	01-Aug-2003
Postcard Recvd?/ Amendment	01-Oct-2003	Reminder	11-Aug-2003
2nd Ext Amendment	03-Sep-2003	Due Date	01-Aug-2003
1st Ext Amendment	03-Aug-2003	Due Date	01-Aug-2003
Amendment Due	03-Jul-2003	Due Date	02-Jul-2003
STATUS RCE APP	13-Jun-2003	Due Date	08-Apr-2003
POSTCARD RECVD?	13-Feb-2003	Due Date	23-Dec-2002
3rd/Final Ext FinalOA/File RCE	16-Jan-2003	Final	13-Dec-2002
2nd Ext Final OA	16-Dec-2002	Due Date	13-Dec-2002
1st Ext Final OA	16-Nov-2002	Due Date	15-Nov-2002
Final OA 3 Mon/File Appeal	16-Oct-2002	Due Date	15-Oct-2002
US-3 MONTH O.A. Follow Up Date	04-Oct-2002	Due Date	22-Jul-2002
Final OA 2 Month Date	16-Sep-2002	Due Date	13-Sep-2002
Postcard Recvd?/Amend	04-Jul-2002	Reminder	17-Apr-2002
AMEND 3RD EXT	04-Apr-2002	Final	04-Apr-2002
Req Corrected Filing Receipt?	18-Mar-2002	Due Date	15-Mar-2002
AMEND 2ND EXT	04-Mar-2002	Due Date	04-Mar-2002
AMEND 1ST EXT	04-Feb-2002	Due Date	01-Feb-2002
AMENDMENT DUE	04-Jan-2002	Due Date	03-Jan-2002
CORRECT F/R REC?	27-Dec-2001	Reminder	18-Dec-2001
POSTCARD REC'D	27-Oct-2001	Reminder	11-Sep-2001
US-MISS PART 2 Follow Up Date	26-Oct-2001	Due Date	26-Apr-2001
STATUS CHECK	22-Oct-2001	Reminder	10-Oct-2001
REQUEST CORR F/R	25-Aug-2001	Due Date	27-Aug-2001
POSTCARD REC'D?	26-Jul-2001	Reminder	10-May-2001
FINAL MSNG PRTS	26-Apr-2001	Final	26-Apr-2001
MISS PART 3 EXT	26-Mar-2001	Due Date	26-Mar-2001



## Country Application

Thursday, February 22, 2007

MISS PART 2 EXT	26-Feb-2001	Due Date	26-Feb-2001
MISS PART 1 EXT	26-Jan-2001	Due Date	26-Jan-2001
MISSING PARTS	26-Dec-2000	Due Date	26-Dec-2000
POSTCARD REC'D?	22-Dec-2000	Reminder	10-Oct-2000